

REMARKS

Pending Claims:

In this application, claims 1-14 and 17 -21 are currently pending.

Claims 1-2 have been allowed.

The action has been made final and applicant requests the entry of this amendment.

Rejection under 35 U.S.C. §112

Claims 7-14 and 18-21 were rejected as indefinite. The many helpful comments by the Examiner have been address by the amendment to the claims. In general the Applicant has tried to positivley recite actual physical strutrues were approiate and has amnded "directional" descriptions to avoid inferential recitation of struture.

Rejection under 35 U.S.C. §103

The Examiner has rejected claims 3-14 and 17-18 and 20 as being unpatentable over JP '341 in view of GB '166. The Examiner cautions against arguing "indsight" reconstruction. The Applicant acknowledges the point but requests that the Examiner place himself in the shoes of one of ordinary skill in the art. The Japanese reference separates solids form a gas stream while the problem confronting the inventor is separating very small bubbles from a flow of blood. Blood is a liquid and it is an organ. If it is not treated gently the blood will lyse and clot. It is unlikely that the Japanese reference tells the artisan anything about bubbles in blood. The notion that radial acceleration is useful in blood is known from the British reference alone. The Japanese reference adds nothing in the view of the Applicant. It may be argues that the reference actively teaches away form the claimed invention. The Japanese reference has a very large surface area. In general large surface areas are very undesirable in blood handling equipment.

The British reference represents a conventional solution to the problems. It uses a compact volume with a reduced surface area. It "spins" the blood as well. However the structure of the British reference may result in increased turbulence which is also an undesirable property of a bloodcontacting device. In Applicants view the adoption of a

"balde" to divide and accelerate blood where the use of a blade is counterintuitive since it increases blood contact with a wall is a nonobvious combination.

Allowable Subject Matter:

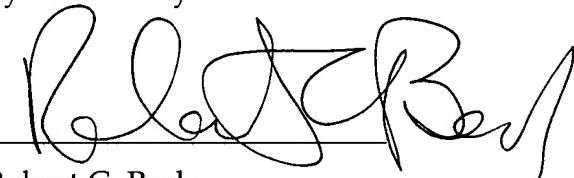
The Applicant also notes with appreciation that claims 1-2 have been allowed. If in the view of the Examiner additional prosecution is warranted, the Applicant will issue the allowed claims and address the remaining issues in a continuing case. If additional amendments to the claims are required to satisfy section 112 requirements kindly raise these issues with a telephone call to the undersigned.

CONCLUSION

All of the claims remaining in this application should now be seen to be in condition for allowance. The prompt issuance of a notice to that effect is solicited.

Respectfully Submitted,
CONVERGENZA
AKTIENGESELLSCHAFT
By its attorneys:

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